

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE:	:	
	:	
APPLICATION OF MCF COMMUNICATIONS	:	DOCKET NO. 331
bg, INC. FOR A CERTIFICATE OF	:	
ENVIRONMENTAL COMPATIBILITY AND	:	
PUBLIC NEED FOR THE CONSTRUCTION,	:	
MAINTENANCE AND OPERATION OF A	:	
TELECOMMUNICATIONS FACILITY AT 836	:	
FOXON ROAD, EAST HAVEN, CONNECTICUT	:	SEPTEMBER 7, 2007

**POST HEARING BRIEF OF INTERVENOR  
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS**

**I. INTRODUCTION**

On March 27, 2007, Sprint Nextel Corporation (“Sprint” or the “Applicant”) submitted an application (“Application”) to the Connecticut Siting Council (“Council”) for a certificate of environmental compatibility and public need for the construction, maintenance and operation of a 100-foot telecommunications tower disguised as a flagpole at 836 Foxon Road in East Haven, Connecticut (“Property”). (Applicant’s Exhibit (“Exh.”) 1).

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) evaluated the Sprint tower proposal and determined that this site could satisfy the coverage objectives of its “East Haven North” search area. (Cellco Exh. 1). Consequently, on May 4, 2007, Cellco filed a petition to intervene in the Application and hearing process (“Petition”) seeking to share the proposed flagpole by installing antennas at the 77-foot level. On June 6, 2007, Omnipoint Communications, a subsidiary of T-Mobile USA, Inc. (“T-Mobile”) request party status in this docket, expressing its intent to share the Sprint tower and install antennas at the 87-foot level.

## **II. THE CELLCO INSTALLATION**

The Cellco installation would consist of three (3) dual-band/dual pole panel-type antennas with their centerline at the 77-foot level on the flagpole tower. Cellco's equipment would be installed in a 12' x 30' single-story equipment shelter, the precise location of which has yet to be determined<sup>1</sup> located near the base of the tower. Cellco would also install a back-up generator inside its equipment shelter for use during power outages and periodically for maintenance purposes. (Cellco Exh. 1,) Resp. No. 11; (8/14/07 Hearing Transcript ("8/14/07 Tr.") pp 52-53).

### **A. Cellco's Need**

The Docket No. 331 record contains ample, unrefuted evidence that Cellco antennas at the 77-foot level on the Sprint flagpole tower would provide quality wireless telecommunications service and satisfy Cellco's coverage needs in the northerly portion of East Haven. Cellco's network currently experiences significant gaps in coverage along the heavily-traveled Route 80 and local roads in the area. More specifically, Cellco's network currently experiences an approximately 2.8 mile gap in coverage along Route 80 at PCS frequencies, and an approximately 2.3 mile coverage gap along Route 80 at cellular frequencies. Cellco has determined that the use Sprint tower described in the Application would eliminate the 2.3 mile coverage gap at cellular frequencies and a significant portion of the PCS coverage gap; 1.7 of the 2.8 mile gap. (Cellco 1, Resp. 6 and 7; Tr. Pp 51-52).

### **B. Environmental Impact**

The Docket No. 331 record contains ample evidence that the Sprint tower and the installation of Cellco's antennas at the 77-foot level would not have a substantial adverse

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<sup>1</sup> During the course of the hearing there was significant discussion regarding the limited amount of ground space in the southerly portion of the Property. Cellco's equipment location will be the subject of future negotiations with the property owner. (Tr. p. 52).

environmental effect. Cellco's antennas would be mounted inside the proposed flagpole tower behind radio frequency ("RF") transparent panels. (Sprint Exh. 1, Attachment 8; 8/14/07 Tr. pp. 51-53). Cellco's equipment shelter would be located on the ground, somewhere near the existing building on the Property. Its final location will be the subject of future negotiations with the landowner. Regardless of where the shelter is ultimately located, its installation would not require any additional clearing or grading. The potential environmental impacts from Cellco's proposed installation would be minimal when balanced against the benefits to the public.


### **C. Alternative Locations**

During the course of the Docket No. 331 proceeding, Sprint discussed the possibility that the flagpole tower could be relocated from the south easterly portion of the Property, along side of the existing building, to the northerly side (front) of the building, to avoid conflicts with the property owners on-going business operations and to limit the impact the tower might have on adjacent landowners to the south. (Tr. (evening) pp. 21-25). The relocation of the tower in this fashion would not affect Cellco's ability to satisfy its coverage objectives in the area.

### **III. CONCLUSION**

The evidence in the Docket No. 331 record supports Cellco's need for the installation of antennas on the proposed flagpole tower at the 77-foot level. The Sprint tower at the Property will provide Cellco with significant coverage relief in the northern East Haven area, in particular, along the heavily-traveled Route 80. This evidence remains unrefuted. Cellco, therefore, respectfully requests that the Council approve the Sprint Application and Cellco's shared use of this facility.

Respectfully submitted,  
CELLCO PARTNERSHIP d/b/a VERIZON  
WIRELESS

By 

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**CERTIFICATION**

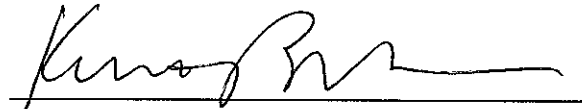
I hereby certify that on this 7<sup>th</sup> day of September 2007, a copy of the foregoing was mailed, postage prepaid, to the following parties and intervenors:

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